

Daniels, G.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKSCTA LIMITED LIABILITY COMPANY and
SSOA LIMITED LIABILITY COMPANY,

Plaintiffs,

v.

TD BANK, N.A.,

Defendant.

SEP 15 2014

CIVIL ACTION NO. 1:14-cv-05249 (GBD)

**CIVIL CASE MANAGEMENT PLAN
AND SCHEDULING ORDER**

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

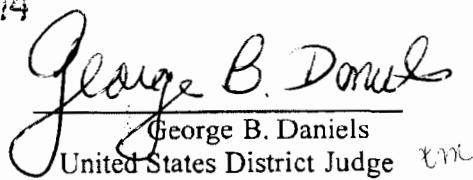
1. No Additional parties may be joined within **105 days** after defendant TD Bank, N.A. ("TD Bank")'s Motion to Dismiss dated August 4, 2014 ("Motion to Dismiss") is decided.
2. No amendment to the pleadings will be permitted within **105 days** after TD Bank's Motion to Dismiss is decided.
3. Except for good cause shown, all **discovery** shall be commenced in time to be completed **within 168 days** after TD Bank's Motion to Dismiss is decided. The court expects discovery to be completed within 90 days of the first scheduling conference unless, after the expiration of that 90 days period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to complete discovery. In such event, discovery may be extended by the parties on consent, without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court. The discovery completion date shall not be adjourned except upon a showing of extraordinary circumstances.
4. **Dispositive motions** are to be served **within 196 days** after TD Bank's Motion to Dismiss is decided. Answering papers are to be served within 14 days. Reply papers are to be served within seven (7) days. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be changed from that shown herein to three (3) weeks from the decision on the motion. The final pretrial conference shall be adjourned to a date four (4) weeks from the decision on the motion.
5. A final **pretrial conference** will be held **203 days** after TD Bank's Motion to Dismiss is decided **at 9:30 a.m.**, unless that date is a Saturday, Sunday, or legal

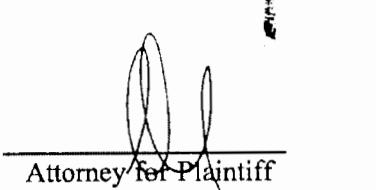
holiday, in which case the **pretrial conference** shall be held on the next day that is not a Saturday, Sunday or legal holiday.

6. The **Joint Pretrial Order** shall be filed no later than **255 days** after TD Bank's Motion to Dismiss is decided. The requirements for the pretrial order and other pretrial submissions shall be governed by the Court's Individual Rules of Practice.
7. **All motions and applications** shall be governed by the Court's Individual Rules of Practice.
8. The parties shall be **ready for trial** within 48 hours, notice on or **after 253 days** from the date TD Bank's Motion to Dismiss is decided. The estimated trial time is two days, and this is a jury trial.
9. The **Next Case Management Conference** will be held **134 days** from the date TD Bank's Motion to Dismiss is decided **at 9:30 a.m.**, unless that date is a Saturday, Sunday, or legal holiday, in which case the **Next Case Management Conference** shall be held on the next day that is not a Saturday, Sunday or legal holiday.

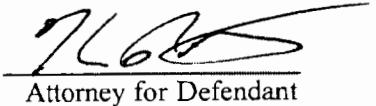
Dated: September 9, 2014
New York, New York

SEP 15 2014 SO ORDERED:


George B. Daniels
United States District Judge



Attorney for Plaintiff



Attorney for Defendant